



# *City of Granite City*

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## *Board of Appeals MINUTES November 2, 2011*

The Granite City Board of Appeals met on Wednesday, November 2, 2011. Chairman Sam Akeman called the meeting to Order at 7:00 PM.

Members Present: Sam Akeman, Debbie Smith, Kayleen Johnston and Evelyn Harris, . Also present Zoning Administrator, Steve Willaredt. Excused absences: Douglas Conrad and Kitty Reither. Unexcused absence Kimberly Benda.

### **COMMENTS/SWEAR IN**

The Petitioner was introduced and sworn in by the Chairman, Sam Akeman. The Chair stated the Board of Appeals is a recommending body to the City Council and the Council will have final determination at the next regularly scheduled meeting on November 15, 2011.

### **MINUTES/AGENDA**

A motion to approve the Minutes from the previous meeting (September 7, 2011) and this evening's Agenda was made by Evelyn Harris and seconded by Debbie Smith. Voice vote. All ayes. Motion carried.

### **PETITIONER – Tony N. Gray**

**Parcels: 22-2-20-17-18-304-003 2606 Lincoln Vacant Lot  
22-2-20-17-18-304-004 2616 Lincoln Vacant Lot  
22-2-20-17-18-304-005 2618 Lincoln Vacant Lot**

Color photographs of the residence and the vacant lots were distributed to the Board for review (Attachment A, available upon request).

The Petitioner was introduced and asked to present his request for a front yard fence variance, stating his intent is to privatize his home and the three adjacent (vacant) lots owned by him. The proposed, 4 ft. X 120 ft. chain link fence would keep children from climbing the trees on the property and would prevent them from playing on the vacant lots, thus avoiding liability.

Discussion followed. The Zoning Administrator was asked if there had been any changes to the Ordinance and was told nothing had changed regarding front yard fences.

The Petitioner explained the fence near his house, near the driveway, would be taken down. The proposed chain link would abut to his neighbor's privacy fence and that he had obtained their permission to allow that. The front yard fence proposal would be constructed all the way to the sidewalk. The Chair asked the Zoning Administrator for his opinion of the request. Mr. Willaredt stated his concern is covering 120 ft of frontage which is excessive. The Zoning Ordinance was designed to prevent situations such as this.

The Chair called for further discussion. None expressed. No one present in the audience either for or against the Petition.

#### **MOTION**

Motion by Evelyn Harris and seconded by Kayleen Johnston to approve the request for a front yard fence variance, covering an area of 120 ft up to the sidewalk. Roll Call vote. All noes. Motion denied unanimously.

#### **NEW BUSINESS**

None.

#### **UNFINISHED BUSINESS**

None.

Motion to adjourn by Debbie Smith and seconded by Evelyn Harris. Motion carried.

Respectfully submitted,

*Barbara Hankins*

Secretary

Board of Appeals

## ***BOARD OF APPEALS ADVISORY REPORT***

**HEARING DATE:** November 2, 2011

**PETITIONER:** Tony N. Gray

**LOCATION:** Vacant Lots: 2602, 2616 & 2618 Lincoln Avenue

**REQUEST:** Front yard fence variance to property line (sidewalk)  
Covering three parcels and home (4 X 120 ft. chain link)

### **FINDINGS OF FACT:**

1) Proposed variance is consistent with general Purpose of the ordinance Section 1-1:

**Yes**

2) The strict application of the district requirements would result in great practical difficulties or hardship to the applicant, and prevent reasonable return on property:

**Yes**

3) The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship, and allow a reasonable return on the property:

**Yes**

4) The plight of the applicant is due to peculiar circumstances not of his own making:

**No**

5) The peculiar circumstances engendering the variance request are not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (re-zoning): **Yes**

6) The variance, if granted, will not alter the essential character of the area where the premises in question are located nor materially frustrate implementation of this Municipality's Comprehensive Plan:

**YES**

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**Motion** by Evelyn Harris and seconded by Kayleen Johnston to approve the request for a front yard fence variance and allow a 4 ft. X 120 ft. chain link fence to be constructed up to the property line/sidewalk.

### **ROLL CALL:**

Sam Akeman, Chairman	No
Debbie Smith	No
Evelyn Harris	No
Kayleen Johnston	No

**ALL NOES – MOTION DENIED UNANIMOUSLY**

**Date of Hearing: November 2, 2011**